

Application No.

Applicant(s)

10/781,384

SPENCER ET AL.

Response to Rule 312 Communication

Examiner

Art Unit

Q. JANICE LI

1633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 23 June 2009 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☒ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The proposed amendments of claim 20 deleting a step of the claimed method would raise new issue at least under 35 USC 112, 2nd paragraph.

The proposed amendments of claim 40 altering dependency of the claim would raise new issue under 35 USC 112, 2nd paragraph.

The asserted lines in both claims are non-exist.

/Joseph T. Weitach/
Supervisory Patent Examiner, Art Unit 1633

/Q. JANICE LI/
Primary Examiner, Art Unit 1633